

#19 Reg Ad Refund  
10/01/03

PATENT  
Attorney Docket N° P1602US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Brandon A. Grooters  
Serial N° : 09/470,537  
Filed : December 22, 1999  
Group Art Unit : 2614  
Examiner : Yenke, Brian P.  
For : SYSTEM AND METHOD FOR DISPLAYING EVENT RELATED  
ELECTRONIC PROGRAM GUIDE DATA ON INTELLIGENT  
REMOTE DEVICES

**MS 16**

Director of the US PTO  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR REFUND**

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**CERTIFICATE OF MAILING UNDER 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service on September 12, 2003, in a First Class envelope, with sufficient postage thereon, addressed to: MS 16, Director of the US PTO, P.O. Box 1450, Alexandria, VA 22313-1450.

Penny L. Flint

Penny L. Flint

DATED: September 12, 2003

**1. REFUND REQUEST**

This is a request for a refund with respect to a charge to Deposit Account N° 50-0439 shown on the statement dated September 2003, for the above identified application.

A copy of the monthly statement accompanies this request, along with a copy of the *Notice of Appeal, Transmittal of Appeal Brief, and Petition for a Two Month Extension of Time*.

## **2. FEES CHARGED FOR WHICH REFUND REQUESTED**

**AMOUNT OF REFUND REQUESTED**

- ☒ Petition for a Two Month Extension of Time

**TOTAL REFUND REQUESTED** **\$410.00**

### **3. EXPLANATION OF WHY CONTENDED CHARGE IS IN ERROR**

A *Notice of Appeal* was timely filed on July 8, 2003. Therefore, the deadline to file the *Appeal Brief* is set for September 8, 2003. Said *Appeal Brief* was timely filed on September 4, 2003. A *Petition for a Two Month Extension of Time* was filed in error with the *Transmittal of Appeal Brief*. Applicant respectfully requests a refund of the extension fee.

#### **4. MANNER OF REFUND**

Please make refund of \$410.00 by crediting Deposit Account № 50-0439.

Please direct all correspondence to: **CUSTOMER NO. 32718**  
**MARK WALKER, ESQ.**  
**GATEWAY, INC.**  
**14303 GATEWAY PLACE**  
**POWAY, CA 92064**  
**(858) 848-3449 TELEPHONE**  
**(858) 848-2671 FACSIMILE**

DATE: September 12, 2003.

Respectfully submitted,

Gateway, Inc.,

By   
R. Christopher Rueppell  
Reg. No. 47,045

## Deposit Account Statement

Deposit Account Statement

Return To:  
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Requested Statement Month:

Deposit Account Number:

Name:

Attention:

Address:

City:

State:

Zip:

September 2003  
 500439  
 GATEWAY, INC.  
 NAN MOSER, SD-21  
 14303 GATEWAY PLACE  
 POWAY  
 CA  
 92064

DATE	SEQ	POSTING REF	ATTORNEY TXT	DOCKET NBR	FEE CODE	AMT	BAL
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09/02 3	76192874			6005		-\$100.00	\$30,157.00
09/02 4	76192874			6005		-\$100.00	\$30,257.00
09/02 5	76192874			6004		-\$150.00	\$30,407.00
09/02 6	76192874			6004		-\$150.00	\$30,557.00
09/02 7	76192874			6003		-\$100.00	\$30,657.00
09/02 8	76192874			6003		-\$100.00	\$30,757.00
09/02 103	5103499	P1006US00	1553			\$3,150.00	\$27,607.00
09/04 56	09419944	99-1254	1251			\$110.00	\$27,497.00
09/04 57	09419944	99-1254	1402			\$320.00	\$27,177.00
09/05 68	60499665	P1934US00	1005			\$160.00	\$27,017.00
09/05 72	60499662	P1974US00	1005			\$160.00	\$26,857.00
09/05 73	60499663	P1977US00	1005			\$160.00	\$26,697.00
09/05 74	60499664	P1928US00	1005			\$160.00	\$26,537.00
09/08 96	60500004	P1962US00	1005			\$160.00	\$26,377.00
09/08 100	60500181	P1979US00	1005			\$160.00	\$26,217.00
09/08 103	09339075	P1352US00	1501			\$1,300.00	\$24,917.00
09/08 104	09339075	P1352US00	8001			\$6.00	\$24,911.00
09/08 194	10034110	450.232US2	1401			\$320.00	\$24,591.00
09/09 41	09516623	99-1417	1201			\$84.00	\$24,507.00
09/09 42	09516623	99-1417	1202			\$54.00	\$24,453.00
09/09 62	60500488	P1918US00	1005			\$160.00	\$24,293.00
09/09 102	6038614	P1244US00	1551			\$890.00	\$23,403.00
09/10 1	60500493	P1978US00	1005			\$160.00	\$23,243.00
09/10 1	60500495	033680-002	1005			\$160.00	\$23,083.00
09/10 29	09238863	450.253US1	1402			\$320.00	\$22,763.00
09/10 40	60500721	P1980US00	1005			\$160.00	\$22,603.00
09/10 85	09470537	98-0722	1402			\$320.00	\$22,283.00
09/10 86	09470537	98-0722	1252			\$410.00	\$21,873.00
09/10 93	60500628	P1961US00	1005			\$160.00	\$21,713.00

START BALANCE \$30,057.00  
 SUM OF CHARGES \$9,044.00  
 REPLENISH \$700.00  
 END BALANCE \$21,713.00

REPLACEMENT COPY

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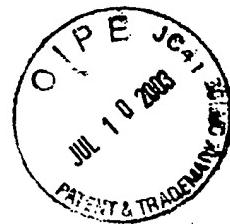
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**COPY**

Attorney Docket N<sup>o</sup>: 98-0722 (P1602US00)  
Serial N<sup>o</sup>: 09/470,537

Received a NOTICE OF APPEAL, including authorization to charge fees to the Deposit Account, all sent via United States Postal Service in a First Class envelope, with sufficient postage thereon, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 8, 2003.

KINDLY DATE STAMP AND RETURN TO SENDER  
**RECEIVED**  
JUL 14 2003  
BY: M.N.



PATENT

Attorney Docket N° 98-0722 (P1602US00)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Brandon A. Grooters  
Serial N° : 09/470,537  
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REMOTE DEVICES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

COPY

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 1.191)

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service on July 8, 2003, in a First Class envelope, with sufficient postage thereon, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Penny L. Flint  
Penny L. Flint

DATED: July 8, 2003

Dear Sir:

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed April 8, 2003 finally rejecting claims 1-35.

The items checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of:

- other than a small entity;  
 small entity.

## **2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. §1.17(e) the fee for filing the Notice of Appeal is:

- |                                     |                           |          |
|-------------------------------------|---------------------------|----------|
| <input type="checkbox"/>            | small entity              | \$160.00 |
| <input checked="" type="checkbox"/> | other than a small entity | \$320.00 |

**Notice of Appeal fee: \$320.00**

## **3. EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. §1.136 (fees: 37 C.F.R. §1.17(a)-(d)) for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/> one month	\$110.00	\$55.00
<input type="checkbox"/> two months	\$410.00	\$205.00
<input type="checkbox"/> three months	\$930.00	\$465.00
<input type="checkbox"/> four months	\$1,450.00	\$725.00

**Extension Fee: \$0.00**

If an additional extension of time is required please consider this a petition therefor.

- An extension for \_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request: \$\_\_\_\_\_

or

- (b)  Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

## **4. TOTAL FEE DUE**

The total fee due is

Notice of Appeal fee \$ 320.00.

Extension fee (if any) \$ 0.00.

**TOTAL FEE DUE: \$ 320.00**

**5. FEE PAYMENT**

Please charge Deposit Account N° 50-0439 the sum of \$320.00. A duplicate of this *Transmittal* is attached for accounting purposes. If any additional extension and/or fee is required, please charge Deposit Account N° 50-0439. If any additional fee for claims is required, please charge Deposit Account N° 50-0439.

Please direct all correspondence to:



MARK WALKER, ESQ.  
GATEWAY, INC.  
MS SD-21  
14303 GATEWAY PLACE  
POWAY, CA 92064  
(858) 848-3449 TELEPHONE  
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DATE: July 8, 2003.

Respectfully submitted,

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By   
R. Christopher Rueppell  
Reg. N° 47,045